

1 Elliot Gale (Bar #263326)  
egale@gajplaw.com  
2 Joe Angelo (Bar #268542)  
jangelo@gajplaw.com  
3 Gale, Angelo, Johnson, & Pruett, P.C.  
1430 Blue Oaks Blvd., Ste. 250  
4 Roseville, CA 95747  
916-290-7778 ph  
5 916-721-2767 fax

6 Attorneys for Plaintiff  
Michael Rhodd

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA — OAKLAND DIVISION

10 MICHAEL RHODD

11 Plaintiff,

12 vs.

13 BANK OF AMERICA, N.A.

14 Defendant  
15

Case No.: 4:21-cv-01183-YGR

**PLAINTIFF'S NOTICE OF VOLUNTARY  
DISMISSAL OF DEFENDANT BANK OF  
AMERICA, N.A. PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 41(A)(1)**

16  
17  
18 **PLEASE TAKE NOTICE** that Plaintiff Michael Rhodd, pursuant to Federal Rule of Civil  
19 Procedure 41(a)(1), hereby voluntarily dismisses Bank of America, N.A. as to all claims in this  
20 action, with prejudice.

21 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

22 41(a) Voluntary Dismissal

23 (1) By the Plaintiff

24 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any  
25 applicable federal statute, the plaintiff may dismiss an action without a court  
26 order by filing:

27 (1) a notice of dismissal before the opposing party serves either an answer  
28 or a motion for summary judgment.

1 Defendant Bank of America, N.A. has neither answered Plaintiff's Complaint, nor filed a  
2 motion for summary judgment. Accordingly, the matter may be dismissed against it for all  
3 purposes and without an Order of the Court.

4  
5 Dated: April 30, 2021 Gale, Angelo, Johnson, & Pruett, P.C.

6  
7 By: /s/ Joe Angelo

8 Joe Angelo

9 Attorneys for Plaintiff  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28